

RESOLUTION NO. 86-36

RESOLUTION OF THE LODI CITY COUNCIL  
EXPRESSING SUPPORT FOR THE FAIR RESPONSIBILITY ACT OF 1986

WHEREAS, the State of California faces a crisis inflicting financial havoc on our State and local governments, public schools, private business and non-profit organizations; and

WHEREAS, this crisis is the unaffordability and unavailability of liability insurance; and

WHEREAS, the crisis is largely the result of the unfair "deep pocket" doctrine under which defendants can be held responsible for 100% of damages in multiple-party personal injury actions even if the defendant is found to be as little as one percent at fault; and

WHEREAS, this doctrine unfairly costs California cities and counties, public entities, businesses and professionals hundreds of millions of dollars in court judgments and settlements, legal expenses, and increased insurance costs; and

WHEREAS, California taxpayers and consumers ultimately bear these costs in their taxes and through increased prices for goods, services and insurance; and

WHEREAS, these costs have resulted in the reduction of vital government services to the people of California, including the grounding of police, fire and emergency vehicles, park and library closings, limitation of activities in public schools, and disruptions of public transportation, which imperils the safety, health and welfare of our citizens; and

WHEREAS, at least 43 California cities are now uninsured and hundreds will be by July of this year; and

WHEREAS, the Fair Responsibility Act of 1986 is an initiative measure that will give California voters an opportunity to reform the inequities of the "deep pocket" doctrine by holding liability lawsuit defendants financially liable in closer proportion to their actual degree of fault; and

WHEREAS, the County Supervisors Association of California, League of California Cities, California School Boards Association, California Chamber of Commerce, California Taxpayers Association, California State Parent-Teacher Association, California Manufacturers Association, National Federation of Independent Business, California District Attorneys Association, Association for California Tort Reform, California Police Chiefs Association, California Farm Bureau

Federation, Consumer Alert, California State Sheriffs' Association, California Dental Association, California Peace Officers Association, California Restaurant Association, California Medical Association, Association of California Water Agencies, Agricultural Council of California, California Hospital Association, California Association of Resource Conservation Districts, California Trucking Association, California Defense Council, California Association of Publicly-Owned Transit Systems, California Association of 4WD Clubs, numerous engineer and insurance associations, several non-profit and social organizations that are having difficulty finding insurance, and other groups have endorsed the Fair Responsibility Act of 1986.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lodi endorses the Fair Responsibility Act initiative and urges its support and passage to relieve the financial strain the "deep pocket" law imposes on public entities, the private sector, and taxpayers and consumers.

Dated: March 5, 1986

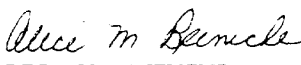
I hereby certify that Resolution No. 86-36 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 5, 1986 by the following vote:

AYES: Council Members - Olson, Pinkerton, Reid, Snider,  
and Hinchman (Mayor)

NOES: Council Members - None

ABSENT: Council Members - None

ABSTAIN: Council Members - None

  
ALICE M. REIMCHE  
City Clerk